



STATE REPRESENTATIVE

# DON PRIDEMORE

## VIRTUAL SCHOOL ENROLLMENT BILL

### ASSEMBLY BILL 286

#### ASSEMBLY EDUCATION REFORM COMMITTEE

MAY 22, 2007

Thank you members of the Education Reform Committee for hearing Assembly Bill 286, my bill extending the enrollment date for Wisconsin residents who wish to enroll their children into a virtual school. The short Wisconsin school open enrollment period in February allows schools and parents an opportunity to review, notify and appeal open enrollment applications. These decisions are primarily based on school availability. Virtual schools enjoy a unique position in that they generally are available to as many students as want to enroll. Therefore, holding them to the same open enrollment timeline as non-virtual schools, does not make sense. This bill changes that.

The substitute amendment would allow **"ONLY"** families who move into Wisconsin or from one school district to another after the third Friday in February (regular open enrollment application deadline) to enroll their children into a virtual school if they so desire under open enrollment. The new deadline for applications for these families would be July 1 and the deadline for approval by virtual school districts would be August 8. After the virtual school's decision, the families would have to notify the nonresident school district by August 22 of their children's intent to attend their school.

This sub will also allow a virtual school district to act on open enrollment applications immediately instead of the current waiting period. Currently, there is a wait in order for all applications to come in. The waiting period does not make sense, because availability is not a concern with virtual schools like it is with 'brick and mortar' schools.

This bill and substitute amendment changes the open enrollment due date to July 1<sup>st</sup> to give parents the ability to enroll their children in a virtual school while still giving virtual schools enough time to determine if they can meet special needs children's requirements. Also, the school district's deadline to notify an applicant to a specific school or program that the pupil may attend and accept or reject the application, are both due by August 8. This allows school districts to adjust to enrollment numbers.

Some concerns raised with open enrollment expansions such as this include putting an increased burden on school districts to adjust to changes in school membership, lost revenue for schools due to loss of membership to virtual schools and general arguments against virtual schools overall. Let me address these concerns one at a time:

- **School District Burden:** Due to the limited number of pupils enrolled in virtual schools in Wisconsin this cannot be viewed as an undue burden on school districts. In the 2005-06 school year, there were 1962 students receiving their sole education in eight virtual schools in Wisconsin. That is .2% of the total 875,000 K12 students in the state. That is an average of less than 5 students per school district; **not per school, per school district**. Clearly this is not an undue burden on school districts.
- **Lost Revenue:** This can always be an argument by public schools or any other group that receives money from the state of Wisconsin. If a student is not being taught in a school's classroom, the school should not be reimbursed for that student and the funding should follow the student. The three year rolling average protects the school districts to some extent from the loss of revenue.
- **General Arguments Against Virtual Schools:** Virtual charter schools in Wisconsin using open enrollment statutes to teach our children have been challenged in court by WEAC and DPI. Virtual

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schools have prevailed! The courts have found that parents can choose to enroll their children in a virtual charter school instead of a brick and mortar school if they wish. Why should the legislature limit the choices parents have to educate their children?

Let me say again, this bill and substitute amendment **ONLY** applies to families that choose virtual schools and that move into Wisconsin from out of state or families that move from one school district to another **AFTER** the open enrollment deadline date. This is very limited in its scope, but is a way to allow families in our increasingly mobile society that choose a virtual school education, more opportunities if they move to a district in our state after the open enrollment deadline.

This bill helps families by giving them more educational choices for their children and a less stressful transition for families moving into Wisconsin.

I would be happy to answer any questions you may have.

# WISCONSIN EDUCATION ASSOCIATION COUNCIL

Affiliated with the National Education Association

*Every kid  
deserves a  
Great School!*

## Written Testimony Submitted by Wisconsin Education Association Council Public Hearing of the Assembly Committee on Education Reform May 22, 2007

The Wisconsin Education Association Council has always supported innovation in education to create great schools. WEAC believes that district-sponsored charter schools give school districts an opportunity to create classrooms that work through innovative programs. However, research to date has not shown that virtual charter schools have significantly improved student learning or are any more innovative than traditional public schools. Additionally WEAC believes funding for virtual charter schools should not disproportionately divert resources through open enrollment from traditional public schools.

### Oppose AB 286

AB 286 extends the deadline for application to attend a virtual charter school under open enrollment program. Under the bill, an application to attend a virtual charter school is due by July 1; the school districts may act on the application at any time but must accept or reject the application by August 8; and the pupil's parent must notify the nonresident school board of the pupil's intent to attend school in that school district by August 22.

WEAC opposes AB 286 because of these questions and concerns:

1. Current time limits for all open enrollment are logical and necessary.
  - The February deadline for open enrollment allows school districts, especially the resident or sending school districts, time to plan for staffing and operating budgets for the next school year. If the applicants for open enrollment are home-schooled, the resident districts must have time to be able to plan for the decrease in revenue due to the loss of the students to a virtual charter school. If the applicants for open enrollment are currently enrolled in the resident district, the resident district must be able to plan for the decrease in enrollment and the loss of revenue due to enrollment in the virtual charter school. The current law allows resident districts time to plan for staffing needs and still meet the deadlines for teacher contract renewal and layoff as well as to make accurate projections for revenue and spending. It is unreasonable to expect districts to prepare for the next school year not knowing what enrollment and

Stan Johnson, President  
Dan Burkhalter, Executive Director

start virtual charter schools to attract new students and increase revenues at the expense of other districts throughout the state. Does it make sense to encourage and provide special rights to virtual charter schools at the expense of the regular public schools? Should taxpayer dollars be used to buy advertising to market virtual charter schools? Should the time to advertise be extended so that more taxpayer dollars are used for marketing?

- Virtual charter schools discriminate against working parents. If parents are unable to stay at home to teach and supervise their child using the on-line curriculum, the virtual charter is not an option.
- The virtual charter for-profit companies and school districts often sign exclusivity agreements in which the company agrees that it will not offer its services and products to another school in Wisconsin. This goes against the grain of everything that Wisconsin public schools have stood for, and in particular the charter schools' purpose of innovation and dissemination of innovative practices.

**For More Information:**

If you have any comments or questions regarding this statement, please contact Michael Walsh, WEAC Government Relations Specialist, by phone at 800-362-8034 or by e-mail at [walshm@weac.org](mailto:walshm@weac.org).

AB 286

# Wisconsin Coalition of Virtual School Families

[www.wivirtualschoolfamilies.org](http://www.wivirtualschoolfamilies.org)

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May 21, 2007

The Honorable Representative Don Pridemore, Chair  
Members of the Assembly Committee on Education Reform  
Room 318 North  
State Capitol  
P.O. Box 8953  
Madison, WI 53708

Dear Honorable Chair and Committee Members:

On behalf of the Wisconsin Coalition of Virtual School Families let me begin by stating we appreciate your interest and willingness to support online public education.

In 2005, the Department of Public Instruction convened a panel of experts on the matter of virtual public education, and much to our dismay; DPI has never advanced the many positive recommendations on which the legislature could act. So while we are appreciative that you are at least addressing our concerns, our Coalition believes the issues with open enrollment would best be resolved in a more comprehensive manner.

The narrow open enrollment window is indeed a challenge for parents who are searching for the best option for their children, so we appreciate the intent behind Assembly Bill 286. However, our Coalition believes that the best course of action would be to extend the open enrollment window for all charter schools, not just virtual public schools.

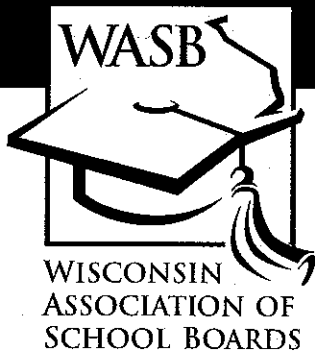
Created and led by parent volunteers, our Coalition was formed to protect the educational choices available to Wisconsin families and to make sure parents' and families' voices are heard by decision makers and opinion leaders.

The Wisconsin Coalition of Virtual School Families consists of hundreds of parents, students, teachers and supporters concerned about the educational opportunities available to Wisconsin families.

Wisconsin has more than a dozen virtual school programs, including: Appleton eSchool, Northeast Wisconsin Online Charter School, Grantsburg Virtual School, iQ Academies, Kiel eSchool, Monroe Virtual School, Wisconsin Connections Academy, the Wisconsin Virtual Academy and the Wisconsin Virtual School. Thousands of students from all across the state attend these schools and many other public schools that use on-line instruction.

Virtual public schools are a fundamental component of the charter school law and we look forward to working with you and others who wish to increase the educational opportunities available to Wisconsin's school children. For we truly believe that every Wisconsin child deserves a great school, be they housed in traditional brick and mortar or online settings.

Sincerely,  
Rose Fernandez  
President, Wisconsin Coalition of Virtual School Families



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JOHN H. ASHLEY, EXECUTIVE DIRECTOR

TO: Assembly Education Reform Committee  
FROM: Sheri Krause, Legislative Services Coordinator  
DATE: May 22, 2007  
RE: **Assembly Bill 286**, relating to applications to attend a virtual charter school under the open enrollment program.

The Wisconsin Association of School Boards **opposes** Assembly Bill 286, which would extend the open enrollment application deadline for virtual charter schools to July 1, because of the administrative difficulties caused by the extended deadline and its potential to limit available seats in virtual charter schools.

Assembly Substitute Amendment 1 to AB 286 has been introduced to limit the extended deadline to those students who have just moved into the state or moved into another school district after the third Friday in February. Although the administrative concerns remain, the potential population of students still eligible for the extended deadline would be far less extensive.

AB 286, as originally drafted, would have extended the open enrollment application deadline to July 1 for all students and would not have required them to notify the school district of their intent to attend until August 22. This is simply an administratively unworkable timeline.

Budgeting decisions, staff contracts and virtual school vendor contracts must be determined months before July 1. As a result, school boards operating virtual charter schools would be required to budget for their programs and sign contracts without knowing how many students would even be applying to attend. Furthermore, the August 22 deadline would make it nearly impossible for school districts to assess and place those students at the appropriate level and provide them with the necessary materials prior to the start of school in September.

As a result, AB 286, as originally drafted, would likely result in school boards drastically limiting the number of available slots in a virtual charter school in order to make the necessary accommodations for each student

While the substitute amendment does not change any of the proposed deadlines, it does dramatically limit the number of impacted students, thereby making it far less burdensome.

Thank you for your consideration.



## State of Wisconsin Department of Public Instruction

Elizabeth Burmaster, State Superintendent

To: Members, Assembly Education Reform Committee  
From: Jennifer Kammerud, Legislative Liaison JK  
Date: May 22, 2007  
Re: 2007 Assembly Bill 286

The Department of Public Instruction is opposed to 2007 Assembly Bill 286, which would grant a special status to virtual charter schools by establishing a separate open enrollment application period for them, as carving out a separate schedule for open enrollment to one type of school will create confusion among parents and school districts alike.

The open enrollment application period is the beginning of a chronological series of activities that ends with the student's transfer to a nonresident school district. The statutory application period provides a uniform timeframe for submission of open enrollment applications that can be noticed statewide for all school districts, regardless of location. It ensures that everyone has a fair notice of when to apply, and that everyone has a fair opportunity to apply. It ensures that resident school boards have an opportunity to receive adequate notice that their students have applied for open enrollment, and have an opportunity to review the application and deny it, but only if there is a reason to do so under state law. It ensures that parents of approved applicants will know by the middle of May the school their children will attend the following school year in the nonresident school district.

Establishing two types of open enrollment will add complexity for parents. It will undoubtedly result in some parents, who wish to open enroll into traditional bricks and mortar schools, missing the February deadline, believing that the later deadline applies to them as well. Also, parents who equate home-schooling with attendance at a virtual charter school are likely to mistake the August open enrollment application for virtual charter schools with the home-based private educational registration form that arrives in their mailboxes in August.

Both resident and nonresident school districts depend on the statutory timeline to make decisions. Under current law, a district knows the maximum number of students it will "gain" or "lose" to open enrollment in time to develop budgets, make staffing decisions, send layoff notices and provide meaningful budget information at the annual meeting. An additional open enrollment application period that results in an additional loss of students immediately before the start of school can be devastating to a small school district.

The Department respectfully requests the committee to reject AB 286.